

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK EDWARD MAHAFFEY (#309290),

Plaintiff,

CASE NO. 2:13-CV-14646

JUDGE AVERN COHN

MAGISTRATE JUDGE PAUL J. KOMIVES

v.

JOSHUA A. BUSKIRK, SUSAN B. MCCAULEY,
CHARLES TURNER, FRANCES HINSLEY,
KAREN HAMBLIN, JEFFREY STIEVE,
S. LAUGHUNN, DR. SHARP, JACOBS,
HARRIET SQUIER and HARESH B. PANDYA,

Defendants,

**ORDER DIRECTING THE U.S. MARSHAL TO ATTEMPT SERVICE UPON
DEFENDANT JEFFREY STIEVE**

Plaintiff filed his complaint against eleven (11) defendants. Six (6) defendants have appeared. *See* Doc. Entries 14 & 17 (Joshua Buskirk and Harriet Squier), 21 (Susan McCauley, Charles Turner, Karen Hamblin and Dr. Haresh Pandya).

Five (5) defendants have yet to appear. Accordingly, on April 23, 2014, I entered an order (Doc. Ent. 28) which, in part, directed the U.S. Marshal to attempt service upon defendants Stieve, Laughunn, Hinsley, Sharp and Jacobs. Among other things, the order directed the U.S. Marshal to serve Stieve at the MDOC (206 E. Michigan Ave., Grandview Plaza, P.O. Box 30003, Lansing, MI 48909).

The purpose of this order is to clarify the spelling of one defendant's name. The Court recognizes that plaintiff's November 8, 2013 complaint in the instant case is brought, in part, against Jeffery Stevie, M.D. Doc. Ent. 1 at 6. Furthermore, the Court recognizes that in three (3) other cases in this Court, a "Jeffery Stevie" has been named as a party. *See, i.e., Wagle v.*

Michigan Department of Corrections et al, Case No. 2:10-cv-10506-NGE-MKM (E.D. Mich.); *Hall v. Edelman et al*, Case No. 2:10-cv-13587-VAR-MKM (E.D. Mich.); and *Morgan et al v. Cohen et al*, Case No. 2:11-cv-11780-AC-MAR (E.D. Mich.).

However, in *Morgan*, the July 5, 2011 appearance of counsel was made on behalf of Dr. Jeffrey Stieve. *See* Case No. 2:11-cv-11780-AC-MAR (Doc. Ent. 34). In that same case, Stieve's August 18, 2011 motion to dismiss observes, "Plaintiff's claims against Dr. Jeffrey Stieve (mistakenly 'Stevie' in the Complaint) are part of a strange complaint in which multiple plaintiffs have attempted to assert numerous unrelated claims against several unrelated individuals." *See* Case No. 2:11-cv-11780-AC-MAR (Doc. Ent. 38 at 6).¹

This Court interprets Mahaffey's claim(s) against Jeffery Stevie, M.D., as brought against Jeffrey Stieve, M.D.. Thus, the U.S. Marshal has been DIRECTED to effect service upon Stieve at the MDOC in Lansing, Michigan.

IT IS SO ORDERED.

The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of service of a copy of this order within which to file an appeal for consideration by the district judge under 28 U.S.C. § 636(b)(1).

Dated: May 7, 2014

s/Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

¹Also, the Court notes that the docket of *Grant v. Stovall, et al*, Case No. 2:11-cv-14895-NGE-DRG (E.D. Mich.), includes a March 29, 2012 affidavit of Jeffrey Stieve, M.D. Case No. 2:11-cv-14895-NGE-DRG (Doc. Ent. 24-1).